

REMARKS

Claims 1-3, 13, and 14 are pending in this application.

By this Amendment, claim 1 has been amended to recite that the catalyst system in the claimed process is not supported, support for which can be found in the examples, and to more particularly claim the range of the alpha-olefin comonomer, support for which can be found at page 12, lines 28-30. No new matter has been added as a result of this Amendment. Entry and consideration of this amendment by the Examiner earnestly is requested.

Also included with this Amendment is an Information Disclosure Statement and accompanying PTO 1449 form. Applicants earnestly request that the listed references be reviewed by the Examiner and made of record herein.

Claim Rejections

Rejections Under 35 U.S.C. § 103

A. Response to rejection of claims 1-3, 13, and 14 under 35 U.S.C. 103(a) as being unpatentable over Bingel et al.

In response to the rejection of claims 1-3, 13 and 14 under 35 U.S.C. 103(a) as being unpatentable over International Publication WO 98/40416, equivalent U.S. 6,444,606 relied upon for translation of Bingel et al. ("Bingel"), Applicants submit that a *prima facie* case of obviousness has not been made by the Examiner, and traverse the rejection.

Bingel relates to supported catalyst systems. In fact, Bingel teaches away from non-supported catalyst systems.

To avoid deposit formation in the reactor, supported catalyst systems in which the metallocene and/or the aluminum compound serving as cocatalyst is/are fixed on an inorganic support material have been proposed. (col. 1, lines 31-35)

Therefore, a *prima facie* case of obviousness has been made out by the Examiner. Reconsideration and withdrawal of the rejection respectfully is requested.

Applicants respectfully request that a timely Notice of Allowance be issued in this case. Should the Examiner have questions or comments regarding this

application or this Amendment, Applicant's attorney would welcome the opportunity to discuss the case with the Examiner.

The Commissioner is hereby authorized to charge U.S. PTO Deposit Account 08-2336 in the amount of any fee required for consideration of this Amendment.

This is intended to be a complete response to the Office Action mailed May 29, 2007.

Respectfully submitted,

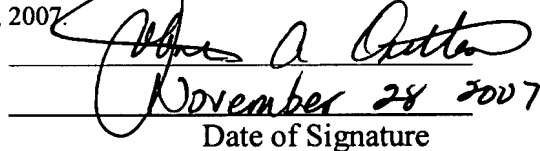


William R. Reid

Registration No. 47,894

Attorney for Applicant

I hereby certify that this correspondence is being deposited with sufficient postage thereon with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 28, 2007.


November 28 2007
Date of Signature

Basell USA Inc.
Delaware Corporate Center II
2 Righter Parkway, Suite 300
Wilmington, DE 19803
Attorney's Telephone No.: 302-683-8178
Attorney's Fax No.: 302-731-6408